

## NOTICE OF INTERLOCUTORY APPEAL

The Honorable Loretta A. Preska – Sr. Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St. New York, NY 10007-1312

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 08/17/2023

[DATE – 05/26/23]

[SENT VIA EMAIL - preskanysdchambers@nysd.uscourts.gov]

**Re:** 13CR43 USA v. William R. Cosme, Notice of Interlocutory Appeal

**Notice of Interlocutory Appeal** pursuant to 28 U.S. Code § 1292(a)(1) - Immediately Appealable - *order “granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions”* is immediately appealable. 28 U.S.C. § 1292(a)(1).

NOTICE OF INTERLOCUTORY APPEAL pursuant to 28 U.S.C. § 1292(a)(1) is hereby given in the UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK stemming from a DENIAL ORDER dated and filed 05/26/23 dkt.(542).

DENIAL OF dkt. (542) occurred on 06/20/23

William R. Cosme,

/s/

*William R. Cosme*

(631) 984-0912

### Defendant Contact Info:

William R. Cosme – 67795-054

CORE SERVICES

104 Gold St.

Brooklyn, NY 11201

Cc: Stephanie Carvlin, AUSA Noah Solowiejczyk

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## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

## MOTION INFORMATION STATEMENT

Docket Number(s): ORIGIN CASE 13CR43

Caption [use short title]

Motion for: NOTICE OF INTERLOCUTORY APPEAL

USA

Set forth below precise, complete statement of relief sought:

The district court failed to docket the attached notice of interlocutory appeal to Vacate, Modify, Injunctions.

WILLIAM R. COSME

V.

MOVING PARTY: William R. Cosme

OPPOSING PARTY:

USA

 Plaintiff  Defendant Appellant/Petitioner  Appellee/Respondent

MOVING ATTORNEY:

OPPOSING ATTORNEY:

AUSA Solowiejczyk

[name of attorney, with firm, address, phone number and e-mail]

William R. Cosme - 67795-0541 St. Andrew's PlazaCORE SERVICES104 Gold St.NY, NY 10007Brooklyn, NY 11201 CELL - (631) 984-0912

Court- Judge/ Agency appealed from:

## Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

 Yes  No (explain): \_\_\_\_\_

Opposing counsel's position on motion:

 Unopposed  Opposed  Don't Know

Does opposing counsel intend to file a response:

 Yes  No  Don't Know

## FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has this request for relief been made below?

 Yes  No

Has this relief been previously sought in this court?

 Yes  No

Requested return date and explanation of emergency:

appellant is entitled to use of non-tainted property to pay for his counsels of choice.

Is oral argument on motion requested?

 Yes  No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

 Yes  No If yes, enter date: \_\_\_\_\_

## Signature of Moving Attorney:

/S/ William R. Cosme Date: 07/31/23 Service by:  CM/ECF  Other [Attach proof of service]

Dear Clerk, this filing is a NOTICE OF INTERLOCUTORY APPEAL that was filed at the district court but never docketed by the district court or the appellate court. The text below is the date and time stamp of the original filing by email to the D.Ct.

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**From:** Cosmo EMAIL  
**Sent:** Tuesday, August 8, 2023 12:16 AM  
**To:** Temporary Pro Se Filing NYSD  
**Subject:** FW: 13CR43 USA v. WILLIAM R. COSME - INTERLOCUTORY APPEAL

The attached was emailed to you, but never docketed. Please docket and notate the filing error. See thread below for original email sent to Pro se unit.

William R. Cosme

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**From:** Cosmo EMAIL  
**Sent:** Monday, July 3, 2023 2:51 PM  
**To:** Preska, Judge  
**Cc:** Temporary Pro Se Filing NYSD  
**Subject:** 13CR43 USA v. WILLIAM R. COSME - INTERLOCUTORY APPEAL

NOTICE OF APPEAL ORAL ORDER

William R. Cosme

## NOTICE OF INTERLOCUTORY APPEAL

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## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

CAPTION:

**USA****CERTIFICATE OF SERVICE\***Docket Number: NEW CASE

v.

**WILLIAM R. COSME**

I, William R. Cosme, hereby certify under penalty of perjury that  
 on 07/31/23, I served a copy of T-1080, CERTIFICATE OF SERVICE,  
 (print name) (date)  
NOTICE OF APPEAL NOT DOCKETED BY DISTRICT COURT (DOCKET ERROR)  
 (list all documents)

by (select all applicable)\*\*

Personal Delivery  United States Mail  Federal Express or other  
 Overnight Courier

Commercial Carrier  E-Mail (on consent)

on the following parties:

AUSA - Steven Kochavar	1 St. Andrews Plaza	NY	NY	10007
Name	Address	City	State	Zip Code

Name	Address	City	State	Zip Code
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Name	Address	City	State	Zip Code
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Name	Address	City	State	Zip Code
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\*A party must serve a copy of each paper on the other parties, or their counsel, to the appeal or proceeding. The Court will reject papers for filing if a certificate of service is not simultaneously filed.

\*\*If different methods of service have been used on different parties, please complete a separate certificate of service for each party.

07/31/23

Today's Date

/S/ William R. Cosme

Signature